

1934.

A ✓ 1000
6-7Office of the Honble
the Resident in Mysore,
Bangalore

(K)

(P5)

Jm.
30.6.47Pros. Nos.
Serial

Subject.

Appointment of certain gentlemen

as Notary Public, Official Receivers etc

Administering of Oaths &

taking Declarations by in C & M. Station,

the Notary Public (Mr. J. R.

Silva, B.A. B.L.)

Bangalore

Previous References.

Later References.

20-6-47

NOTES AND PRECIS.

E. N. 1

P.O. C. Dy. No. 7465.

1

Mr. D'Silva was appointed a Notary Public under the Negotiable Instruments Act, 1881 in the C. & M. Station, Bangalore in the Residency Notification No 87 dated the 30th September 1927.

x p. 65 of (y)
F. 462/26

2

By virtue of his Office as Notary Public, Mr. D'Silva is entitled to administer oaths and take declarations. (Vide para 840 of Vol 21^{xx} of Halsbury's Laws of England.)

xx put up

3

The District Judge and Mr. D'Silva may be informed accordingly. Draft submitted.

A. V. Radmanabhan
30/8/24.

(Para 22 of 15 is only)

CU
30/8/24

Seej.

CBre

3-9-24.

Issued S. N. 2 d/7th Sept. 1924.

Recd

CORRESPONDENCE.

17/8/34
J. L. D'SILVA, B.A., B.L.,
ADVOCATE.

NOTARY PUBLIC.

Office Hours: 8 to 11 a.m. & 4 to 6 p.m.

Residence: No. 4, Walton Road,
St. Mark's Square, Bangalore.

Tel. Addr. "Desilva," Advocate.

OFFICE:
LADY CURZON ROAD,

Bangalore, 6th August, 1934

To.

The Hon'ble the Resident,
Bangalore.
through the District Judge,
C & M Station,
Bangalore.

Dear Sir,

You have been pleased to appoint me as a Notary Public for C & M Station Bangalore on 30-9-1927 No. 10002. In my order of appointment however I find that it has not been specifically stated whether affidavits can be sworn before me.

Under para 77 of the Civil Rules of Practice Bangalore 1927- affidavits can be sworn to before a Court or a Magistrate or Sub Registrar or Registrar of Nazir of the District Court or Head clerk of the District Munsiff's Court or Municipal Counsellor or any person upon whom a title has been conferred by Government. The rules of Practice therefore evidently do not empower affidavits to be sworn to before a Notary Public. When the Government has been pleased to appoint the Nazir and the Head clerks to be capable of administering oath, it is but natural that a Notary Public should be so empowered.

That most of my clients are respectable European and Anglo Indian ladies and gentlemen and it causes them very great inconvenience many a time to be taken to one of these officers for swearing to an ordinary affidavit.

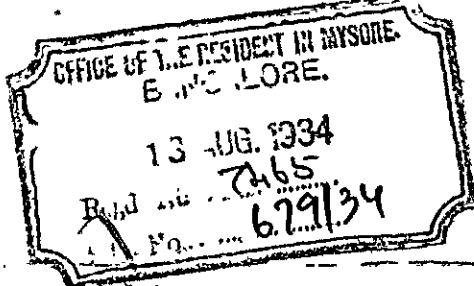
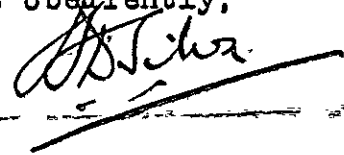
Further, according to the Rules of Practice every Interlocutory application has to be accompanied by an affidavit.

Under the circumstances I pray that you be pleased either to

inform me that by virtue of my office I am empowered to administer oaths or a notification may be issued including my office as one of the persons before whom an affidavit can be sworn to.

I beg to remain

Sir,
Yours obediently,



No. 6318/ Dated 11th August 1934.

Forwarded to the Secretary to the Honourable the Resident in Mysore,
BANGALORE.

There does not appear to be any objection for the inclusion of a Notary Public also among the list of persons before whom affidavits intended for use in judicial proceedings may be sworn under Rule 77 of the Bangalore Civil Rules of Practice, 1927.


District and Sessions Judge.

N 2

D r a f t.

No. 679 R.O.I/34. dated the 7/9/ 1934.

From

The Secretary to the Resident in
Mysore.

To

Mr. J.L. D'Silva, B. A., B. L.,

Advocate, ~~Mangalore~~ and

Notary Public,

Madhyam Road, B'lore

Sir,

With reference to your letter dated

the 6th August, 1934, I am directed to

inform you that by virtue of your office

as Notary Public you are entitled to

administer oaths and take declarations

in lieu thereof.

I have etc.,

C. B. S. 3/9

SECRETARY TO THE RESIDENT.

Copy forwarded to the District and
Sessions Judge, C. & M. Station B'lore,
with reference to his endorsement
No. D. 3281 dated the 11th August, 1934.

To:-

The Registrar of the Court of the
Hon'ble the Resident in Mysore, B'lore,
for amendment of rule 77 of the B'lore
Civil Rules of Practice.

N. V. Radmanabhan

30/8/34.

30/8

Revised letter
30/8/34
7/9/34

Done

Done
MS
7/9/34.

V P. U. C.